

HB 601

Testimony

Mr. Chairman and Members of the committee

My name is Jim Dusenberry ----- President of the Montana Tow Truck Assoc.

The Montana Tow truck Association supports this bill and feels it adds needed clarity to the definitions of parts of the tow truck act. Problems arose this past year when the junk steel prices climbed so high, lots of people bought tow trucks or fabricated tow trucks and started hauling junk to the salvage yards. This was ok if they used safety chains and tow lights and were insured. The problem was most of them were using the cover that they were hauling their own equipment and didn't need to comply with the law. But they all seemed to end up at a junk yard somehow and collect money for the junk they towed in and you might see them later hauling a good car in to a repair shop somewhere. It was decided that the definition of commercial tow truck needed looked at. This means that a commercial tow truck needs to meet certain safety requirements and tow procedures to operate on the highway. This protects the customers and the other motoring public.

The next problem was the rotation areas for the Class C Tow trucks and there satellite operations. The current law provides for a Class C tower to have an office and secure storage yard in his rotation area, which includes at least a county. If that Class C operator wants to expand their operation in to another county they may start a satellite operation in that county. The law doesn't provide any regulations about the business office, secured yard, or how they might serve the public in the new rotation area. The new language clarifies what a business office is and sets some standards for the operator to meet, and be a contributing member of the community. As it is now, tow truck operators are moving into a county so they can pick up another spot on the MHP rotation with disregard for the needs of the community or the customer. These towers still operate out of their home location and bringing their equipment from home location to the new rotation area to work wrecks' and then haul the wrecks back to the home location anyway. This becomes a costly inconvenience for the customer and quite confusing to all involved.

The changes to the rotation and satellite operation provide for the district commander to establish the rotation area based on crash data and response times and geographical considerations. If a tower is asking to establish a satellite office, the new language provides guidance and guidelines for the operator to follow. We feel these changes are necessary to add clarity to the law and make the Montana Highway Patrol's job easier.

Jim Dusenberry

President, Montana Tow Truck Association

EXHIBIT 6  
DATE 2-20-2009  
HB HB 601

Wanted!!  
Junk Cars  
How for FRE  
594-9770

EXHIBIT 6  
DATE 2-20-09  
HB HB 601

Junk tower with no tow lights on rear of towed vehicle

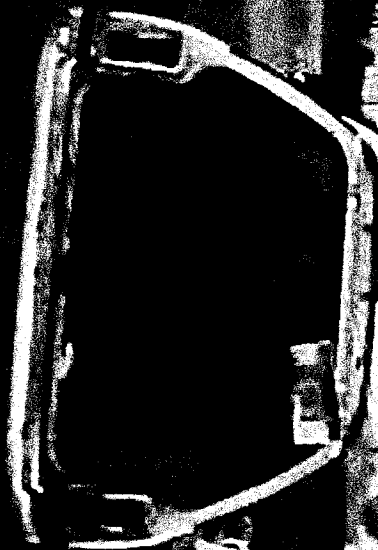
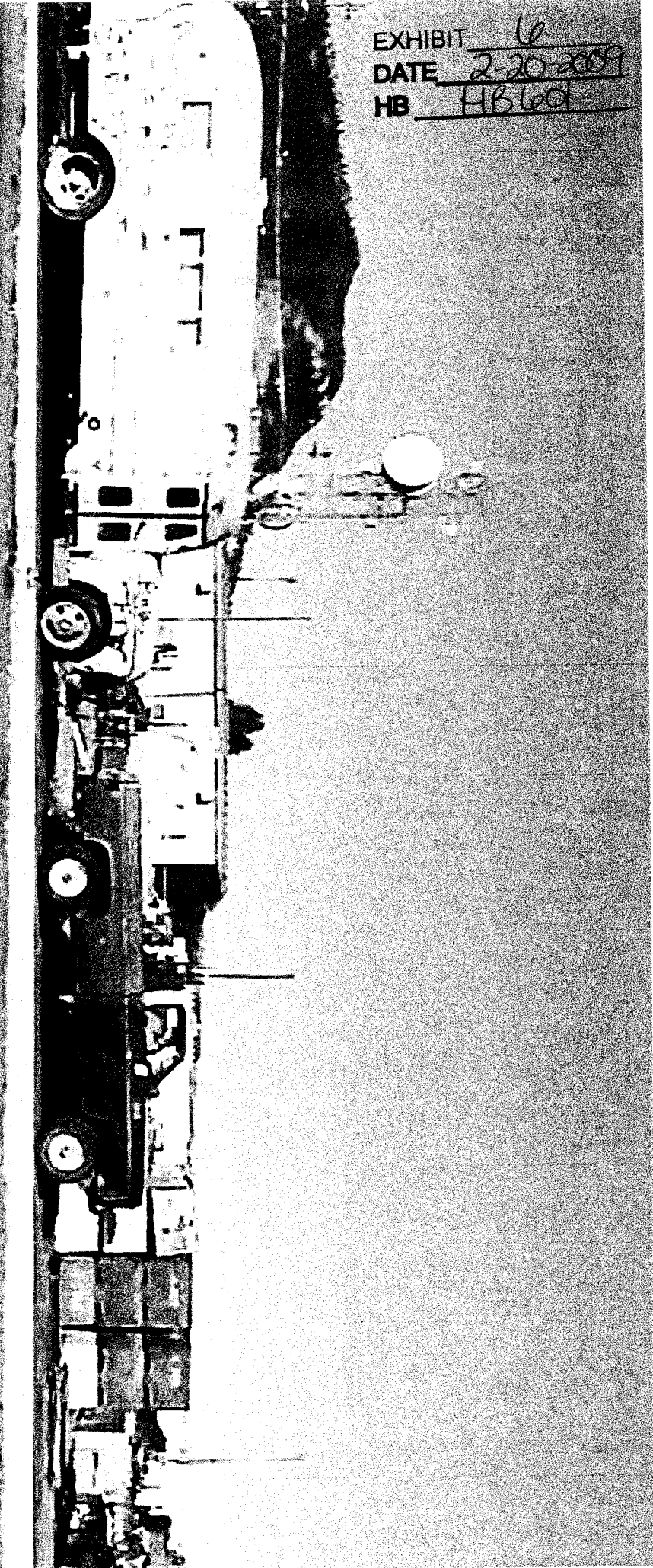




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Pickup towing bus to salvage yard—is on scale and weighing—Note the front tires are worn flat to rim as they couldn't pick up the bus to tow so they dug it in to the yard leaving black skid marks on the pavement and as they were pulling off the scale the hitch broke and the bus rammed the pickup. No safety chains, no tow light, tow vehicle to light for tow and no insurance.